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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: William G. Tatton *et al.*

Serial No.: 09/249,350

Filed: February 11, 1999 (CPA filed April 22, 2002)

For: *Use Of Deprenyl Compounds To Treat Viral Infections And Reduce Tissue Damage Associated Therewith*

Attorney Docket No.: WTZ-004CPA

Group Art Unit: 1617

Examiner: Mojdeh Bahar

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Mail Stop Petition  
Commissioner for Patents  
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I hereby certify that the form, identified herein, is being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service, Mailing Label No. EL 939 867 670 US, under 37 C.F.R. §1.10, on the date indicated below and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 16, 2003

Date

By:

Name: Elizabeth A. Hanley, Reg. No. 33,505

**PETITION TO REVIVE AN ABANDONED APPLICATION**  
**PURSUANT TO 37 CFR 1.137(b)**

Dear Sir:

It is respectfully requested that the above-identified application be revived from abandonment. A response to the outstanding Office Action dated June 17, 2002 (Paper No. 17) is being filed concurrently herewith. It is respectfully submitted that the entire delay in filing the response until the filing of this petition was unintentional.

On or about December 17, 2002, Examiner Mojdeh Bahar called Applicants' attorney's office to ascertain the status of the above-identified application. The Examiner was informed that a continuation application was being filed in lieu of filing a Response

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to the outstanding Office Action. It was Applicants' intent to continue the prosecution of the subject matter of the above-identified application. The Examiner requested that the continuation application be forwarded to her by facsimile. Accordingly, Applicants' attorney complied with her request, and sent the continuation application by facsimile on December 17, 2002. Subsequently, Applicants' attorney learned that the continuation application had not been processed in the Patent Office, and had not been accorded a serial number or a filing date. Because of a miscommunication, the continuation application was not accorded a filing date, and the above-identified application became abandoned for failure to respond to the outstanding Action.

Applicants respectfully request that the Response to the outstanding Office Action be accepted in the above-identified application and that the application be reinstated for being unintentionally abandoned.

The Commissioner is authorized to charge the appropriate petition fee of \$650.00, based on small entity status, to Deposit Account No. 12-0080, pursuant to 37 CFR 1.17(m). Please charge any additional fees required for this petition or credit any overpayments to our Deposit Account No. 12-0080. A duplicate of this document is enclosed.

Respectfully submitted,



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Dated: September 16, 2003